

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

CREIGHTON TANAKA, Individually  
and on behalf of all others similarly  
situated,

Plaintiff,

v.

RIOT BLOCKCHAIN, INC. F/K/A,  
BIOPTIX, INC., JOHN O'ROURKE,  
JEFFREY G. McGONEGAL, BARRY  
HONIG, CATHERINE  
DEFRANCESCO, MICHAEL  
BEEGHLEY, JOHN STETSON,  
MARK GROUSSMAN, ANDREW  
KAPLAN, MIKE DAI, JASON LES,  
and ERIC SO,

Defendants.

Civil Action No.: 18-2293 (FLW)  
(TJB)

MOTION DATE: November 4,  
2019

ORAL ARGUMENT REQUESTED

**DEFENDANT JOHN STETSON'S JOINDER AND NOTICE OF MOTION  
TO DISMISS THE CORRECTED CONSOLIDATED AMENDED CLASS  
COMPLAINT**

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pending)  
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Please take notice that on November 4, 2019, or at such other date as may be set by the Court, Defendant John Stetson (“Stetson”), by and through counsel, will move the Court for an order pursuant to Rules 9(b) and 12(b)(6) of Federal Rules of Civil Procedure and the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4(b) dismissing with prejudice Lead Plaintiff Dr. Stanley Golovac’s Corrected Consolidated Amended Class Action Complaint in the above-captioned matter. Stetson also joins in and re-asserts here the arguments made by the other defendants in their respective motions to dismiss and supporting materials.

Please take further notice that the undersigned shall rely on this Notice of Motion, the accompanying Memorandum of Law, and on such other materials and arguments that may be presented to the Court.

DATED: October 1, 2019

LOWENSTEIN SANDLER LLP

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